

## **GOVERNOR'S REGULATORY REVIEW COUNCIL**

This section of the Register contains information submitted for publication by the Governor's Regulatory Review Council. The Five-year Review Schedule is listed and will be updated as necessary. Also in this section will appear the tentative agendas for the monthly Council meetings and summaries of action taken by the Council at the monthly meetings.

### **NOTICE OF PUBLIC MEETING AND AGENDA OF THE APRIL 2, 1996 GOVERNOR'S REGULATORY REVIEW COUNCIL**

Pursuant to A.R.S. § 38-431.02, notice is hereby given that the Governor's Regulatory Review Council will hold a regular meeting, open to the public, on TUESDAY, APRIL 2, 1996. This meeting will be held at 9 a.m. IN THE AUDITORIUM AT THE INDUSTRIAL COMMISSION, 800 WEST WASHINGTON, PHOENIX, AZ 85007. For additional information, call the Governor's Regulatory Review Council office at 542-2058. Pursuant to A.R.S. § 38-431.03(A)(3), the Governor's Regulatory Review Council may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on any item on the agenda.

- A. 9 a.m. - CALL TO ORDER**
- B. APPROVAL OF MINUTES OF:**  
March 5, 1996, Meeting
- C. CONFLICT OF INTEREST**
- D. ADDITIONAL CONSIDERATION OF ADOPTED RULES HEARD AT THE MARCH 6, 1996, GRRC MEETING:**
  - 1. BOARD OF COSMETOLOGY (AR-96-0304)**  
4 A.A.C. 10, Article 1 (General Provisions) (Amended Article)  
Council Consideration Regarding Revised Fee Schedule for Rule:  
R4-10-102 (Fees)
  - 2. BOARD OF PHARMACY (AR-96-0305)**  
4 A.A.C. 23, Article 1 (Administration) and Article 6 (Permits and Distribution of Drugs)  
Council Consideration Regarding a Clerical Error in Rule:  
R4-23-110 (Definitions)
- E. CONSIDERATION OF PROPOSED SUMMARY RULES: (PS-95-0701)**
  - 1. DEPARTMENT OF HEALTH SERVICES**  
9 A.A.C. 10, Article 10 (Behavioral Health Service Agencies)  
Repeal: R9-10-1011 through R9-10-1030
- F. CONSIDERATION OF FIVE-YEAR-REVIEW REPORTS:**
  - 1. STRUCTURAL PEST CONTROL COMMISSION (F-96-0401)**  
4 A.A.C. 29, Article 1 (General and Administrative Provisions); Article 2 (Licensure, Qualification, Certification, and Registration); Article 3 (Pesticide Usage); Article 4 (Termites and Other Wood-destroying Organisms); Article 5 (Hearings, Settlement Conferences, and Consent Orders)
  - 2. ARIZONA PEACE OFFICERS STANDARDS AND TRAINING BOARD (F-96-0402)**  
13 A.A.C. 4, Article 1 (General Provisions) and Article 2 (Correctional Officers)
  - 3. ARIZONA STATE BOARD OF DENTAL EXAMINERS (F-96-0403)**  
4 A.A.C. 11, Article 1 (Recognition of Dental Schools); Article 2 (Examinations); Article 3 (Reinstatement of Revoked Licenses); Article 4 (Regulation of Dental Hygienists); Article 5 (Regulation of Dental Assistants); Article 6 (Regulation of Dental Technicians); Article 7 (Rehearings of the Board); Article 8 (General Anesthesia); Article 9 (Fees); Article 10 (Restricted Permits); Article 11 (Regulation of Dentists); Article 12 (Regulation of Denturists) Article 14 (Continuing Dental Education)
  - 4. DEPARTMENT OF WATER RESOURCES (F-96-0404)**  
12 A.A.C. 15, Article 1 (Definitions, Fees, Procedural Rules for Hearings); Article 2 (Procedural Rules); Article 3 (Stockpond and Other Surface Water Rules); Article 7 (Assured and Adequate Water Supply); Article 8 (Well Construction and Licensing of Well Drillers); Article 9 (Water Measurement Rules); Article 10 (Reporting Requirements for Annual Reports, Annual Accounts, Operating Flexibility Accounts, and Conveyances of Groundwater Rights); Article 11 (Inspection and Audit Rules); Article 12 (Dam Safety Rules)

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**G. CONSIDERATION OF ADOPTED RULES:**

1. **ARIZONA RADIATION REGULATORY REVIEW AGENCY (AR-96-0401)**  
12 A.A.C. 1, Article 2 (Registration and Certification of Ionizing Radiation Machine Facilities, Registration of Services, and Licensing of Nonionizing Radiation Machine Facilities)  
    **Repeal:** Appendix A, Application for Registration of Radiation Machine (Ionizing)  
    **New Appendix:** Appendix A, Registration and Licensing Forms (Excluding Radioactive Material)
2. **DEPARTMENT OF HEALTH SERVICES (AR-96-00402)**  
9 A.A.C. 1, Article 4 (Codes and Standards Referenced)  
    **Amend:** R9-1-412 (Physical Plant Health and Safety Codes and Standards)
3. **DEPARTMENT OF ECONOMIC SECURITY (AR-96-0403)**  
6 A.A.C. 6, Article 19 (New Article) (Contracts)  
    **New Sections:** R6-6-1901 through R6-6-1911
4. **DEPARTMENT OF ENVIRONMENTAL QUALITY (AR-96-0303)**  
18 A.A.C. 9, Article 1 (Aquifer Protection Permits)  
    **Amend:** R18-9-105  
    **Repeal:** R18-9-128  
  
18 A.A.C. 13, Article 15 (Land Application of Biosolids)  
    **New Sections:** R18-13-1501 through R18-13-1514  
    **New Appendix:** Appendix A
5. **GOVERNOR'S REGULATORY REVIEW COUNCIL (AR-96-0404)**  
1 A.A.C. 6, Article 1 (Rules of Procedure); Article 3 (New Article) (Agency Practice or Substantive Policy Statements); Article 4 (New Article) (Appeals of Economic, Small Business, and Consumer Impact Statements)  
    **Amend:** R1-6-101 through R1-6-105 and R1-6-108  
    **New Sections:** R1-6-107, R1-6-301, and R1-6-401

**H. ADJOURNMENT**

**PLEASE NOTE THE FOLLOWING:**

**TITLE II OF THE AMERICANS WITH DISABILITIES ACT PROHIBITS THE GOVERNOR'S REGULATORY REVIEW COUNCIL FROM DISCRIMINATING ON THE BASIS OF DISABILITY IN ITS PUBLIC MEETINGS. INDIVIDUALS WITH DISABILITIES WHO NEED A REASONABLE ACCOMMODATION TO ATTEND OR COMMUNICATE IN THE GOVERNOR'S REGULATORY REVIEW COUNCIL MEETING, OR WHO REQUIRE THIS INFORMATION IN AN ALTERNATE FORMAT, MAY CONTACT FRAN SIMPSON AT 542-2058, TO MAKE THEIR NEEDS KNOWN. REQUESTS SHOULD BE MADE AS SOON AS POSSIBLE SO THAT THE GOVERNOR'S REGULATORY REVIEW COUNCIL WILL HAVE SUFFICIENT TIME TO RESPOND.**

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**SUMMARY OF ACTION TAKEN**

**March 5, 1996**

**1. Department of Racing (19 A.A.C. 2) [AR-96-0301]**

Amend: Article 1 (Horse Racing): R19-2-113 (Entries and Subscriptions)

**COUNCIL ACTION:** Approved

**2. Board of Physical Therapy Examiners (4 A.A.C. 24) [AR-96-0302]**

Amend: R4-24-101 through R4-24-303

**COUNCIL ACTION:** Approved

**3. Department of Environmental Quality - Water Pollution Control (18 A.A.C. 9) [AR-96-0303]**

Amend: Article 1 (Aquifer Protection Permits): R18-9-105

Repeal: Article 1 (Aquifer Protection Permits): R18-9-128

**COUNCIL ACTION:** Approved

**4. Department of Environmental Quality - Solid Waste Management (18 A.A.C. 13) [AR-96-0303]**

Adopt New Sections: Article 15 (Land Application of Biosolids): R18-13-1501 through R18-13-1514

Adopt New Appendix: Appendix A

**COUNCIL ACTION:** Approved

**5. Board of Cosmetology (4 A.A.C. 10) [AR-96-0304]**

**Article 1 (General Provisions):**

Repeal: R4-10-101 through R4-10-134

Adopt New Sections: R4-10-101 through R4-10-104

Renumber: R4-10-105

Amend: R4-10-105

Adopt New Sections: R4-10-106 through R4-10-111

Renumber: R4-10-112

Amend: R4-10-112

**Article 2 (Schools):**

Adopt New Sections: R4-10-201 through R4-10-209

**Article 3 (Students):**

Adopt New Sections: R4-10-301 through R4-10-306

**Article 4 (Salons) (New Article):**

Adopt New Sections: R4-10-401 through R4-10-404

**COUNCIL ACTION:** Approved

**6. Board of Pharmacy (4 A.A.C. 23) [AR-96-0305]**

Amend: Article 1 (Administration): R4-23-110

Article 6 (Permits and Distribution of Drugs): R-23-606, R4-23-612, and R4-23-651

Adopt New Sections: R4-23-671, R4-23-672, and R4-23-673

**COUNCIL ACTION:** Approved

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**FIVE-YEAR-REVIEW REPORT SCHEDULE  
JANUARY 1996 THROUGH DECEMBER 2000**

Date Due	Agency	Title	Chapter (Article)
Jan 96	Medical Radiologic Technology Board	12	2
Jan 96	Peace Officer Standards, Board	13	4
Jan 96	Structural Pest Control Commission	4	29
Feb 96	Game and Fish Commission	12	4(5)
Feb 96	Water Resources, Department of	12	15
Mar 96	Arizona State Museum	12	6
Mar 96	Executive Clemency, Board of	5	4
Mar 96	Insurance, Department of	20	6(1-3)
Apr 96	Commerce, Department of	20	1(2)
Apr 96	Dental Examiners, State Board of	4	11
Apr 96	Radiation Regulatory Agency	12	1(1, 11, and 15)
May 96	Environmental Quality, Department of	18	2 (1-5, 7, 9, and 11)
Jun 96	Agricultural Employment Relations Board	4	2
Jun 96	Health Services, Department of	9	7
Jun 96	Health Services, Department of	9	10 (8-14 and 17)
Jun 96	Nursing/Custodial Home Managers, Board of	4	33
Jul 96	Administration, Department of	2	1
Jul 96	Education, Private Postsecondary, Board of	4	39
Jul 96	Law Enforcement Merit System Council	13	5
Aug 96	AHCCCS	9	22(7)
Aug 96	Contractors, Registrar of	4	9
Aug 96	Funeral Directors and Embalmers	4	12
Aug 96	Nursing, State Board of	4	19
Sep 96	Economic Security, Department of	6	3(13-17 and 50-56)
Sep 96	Podiatry Examiners, Board of	4	25
Oct 96	Naturopathic Physicians Board of Examiners	4	18(1)
Oct 96	Opticians, Board of Dispensing	4	20
Oct 96	Tourism, Office of	20	3
Oct 96	Weights and Measures, Department of	20	2
Nov 96	Administration, Department of	2	6
Nov 96	Boxing Commission, State	4	3
Nov 96	Environmental Quality, Department of	18	9 (7 and 8)
Nov 96	Oil and Gas Conservation Commission	12	7
Dec 96	Environmental Quality, Department of	18	11
Dec 96	Health Services, Department of	9	10 (1-7)
Jan 97	Agriculture, Department of	3	2
Jan 97	Radiation Regulatory Agency	12	1(7, 8, 10, and 13)
Feb 97	AHCCCS	9	22(3)
Feb 97	Manufactured Housing, Board of	4	34
Mar 97	Game and Fish Commission	12	4(3 and 6)
Mar 97	Health Services, Department of	9	5
Mar 97	Health Services, Department of	9	13
Apr 97	Environmental Quality, Department of	18	1
Apr 97	Environmental Quality, Department of	18	3
Apr 97	Environmental Quality, Department of	18	5
Apr 97	Environmental Quality, Department of	18	6

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Apr 97	Environmental Quality, Department of	18	7
Apr 97	Environmental Quality, Department of	18	9 (1 and 2)
Apr 97	Tax Appeals, State Board of	16	1
May 97	Administration, Department of	2	5
May 97	Administration, Department of	2	10
May 97	Hearing Impaired, Council for the	9	26
May 97	Public Safety Retirement System, Local Boards	13	8
May 97	Public Safety, Department of	13	1
May 97	Public Safety, Department of	13	2
May 97	Public Safety, Department of	13	3
May 97	Public Safety, Department of	13	6
May 97	Public Safety, Department of	13	7
Jul 97	Emergency Affairs, Department of	8	2
Jul 97	Pharmacy, Arizona State Board of	4	23
Aug 97	Health Services, Department of	9	17
Aug 97	Health Services, Department of	9	19
Aug 97	Health Services, Department of	9	5 (7-10)
Aug 97	Lottery Commission, Arizona State	19	3
Aug 97	Medical Examiners, Allopathic Board of	4	16
Sep 97	Coliseum and Exposition Center Board	3	12
Sep 97	Economic Security, Department of	6	8
Sep 97	Fire Safety Committee, State	4	34
Sep 97	Transportation, Department of	17	3
Oct 97	Agriculture, Department of	3	5
Oct 97	Industrial Commission	20	5 (1-4)
Nov 97	Environmental Quality, Department of	18	2 (6, 8, and 14)
Dec 97	Health Facilities Authority Board	4	35
Dec 97	Insurance, Department of	20	6(7, 8, 10, 12, 14, 16, and 17)
Jan 98	AHCCCS	9	22 (1, 2, 5, 6)
Jan 98	Transportation, Department of	17	4 (2, 4)
Feb 98	Health Services, Department of	9	8
Mar 98	Agriculture, Department of	3	3
Mar 98	Occupational Therapy Examiners, Board	4	43
Mar 98	Revenue, Department of	15	1
Mar 98	Revenue, Department of	15	3
Mar 98	Revenue, Department of	15	4
Apr 98	Environmental Quality, Department of	18	2 (10)
May 98	Radiation Regulatory Agency	12	1(4)
Jun 98	Economic Security, Department of	6	1
Jun 98	Economic Security, Department of	6	2
Jun 98	Economic Security, Department of	6	4
Jun 98	Economic Security, Department of	6	11
Jun 98	Health Services, Department of	9	9
Jun 98	Health Services, Department of	9	12
Jun 98	Health Services, Department of	9	24
Jul 98	Land Department	12	5
Jul 98	Navigable Stream Adjudication Commission	12	17
Aug 98	Accountancy, State Board of	4	1
Aug 98	AHCCCS	9	27
Aug 98	Criminal Justice Commission, Arizona	10	4
Aug 98	Grain Research and Promotion Council	3	9

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Aug 98	Homeopathic Examiners, Board of	4	38
Aug 98	Personnel Board, State	2	5.1
Sep 98	Agriculture, Department of	3	4 (1-4)
Sep 98	Radiation Regulatory Agency	12	1 (5)
Sep 98	Real Estate, Department of	4	28
Oct 98	Health Services, Department of	9	20
Nov 98	Banking Department	20	4(1-5)
Nov 98	Technical Registration, State Board of	4	30
Dec 98	Health Services, Department of	9	10(15)
Dec 98	Game and Fish Commission	12	4(2 and 4)
Jan 99	Environmental Quality, Department of	18	4
Feb 99	Economic Security, Department of	6	3 (1-3, 6-9, and 12)
Feb 99	Game and Fish Commission	12	4(1)
Feb 99	Tax Deferred Annuity, Deferred Comp. Plans	2	9
Feb 99	Transportation, Department of	17	1
Feb 99	Transportation, Department of	17	2
Mar 99	Agriculture, Department of	3	1
Mar 99	Health Services, Department of	9	21
Apr 99	Governor's Regulatory Review Council	1	6
Apr 99	Psychologist Examiners, Board of	4	26
Apr 99	Radiation Regulatory Agency	12	1(3)
May 99	Barbers, Arizona Board of	4	5
May 99	Insurance, Department of	20	6 (11)
Jun 99	Health Services, Department of	9	1
Jun 99	Health Services, Department of	9	3
Jun 99	Parks Board, Arizona State	12	8
Jun 99	Revenue, Department of	15	2
Jun 99	Veterinary Medical Examining Board	3	11
Jul 99	Agriculture, Department of	3	4(6-9)
Jul 99	Physical Therapy Examiners, Board of	4	24
Jul 99	Power Authority Commission	12	14
Aug 99	Health Services, Department of	9	4
Aug 99	Health Services, Department of	9	6
Sep 99	AHCCCS	9	22 (4, 8-12) and 29
Sep 99	Banking Department	20	4 (6-11)
Oct 99	Economic Security, Department of	6	3 (18-25)
Oct 99	Naturopathic Physicians Board of Examiners	4	18(2)
Nov 99	Osteopathic Examiners in Medicine and Surgery, Board	4	22
Nov 99	Physician's Assistants, Joint Board	4	17
Nov 99	Transportation, Department of	17	4 (5-9)
Dec 99	Environmental Quality, Department of	18	8
Dec 99	Radiation Regulatory Agency	12	1 (2)
Jan 00	Equalization, State Board of	16	2
Jan 00	Industrial Commission	20	5 (5, 6, 8-10)
Jan 00	Property Tax Oversight Commission	15	12
Jan 00	Revenue, Department of	15	7
Jan 00	Revenue, Department of	15	10
Feb 00	Health Services, Department of	9	14
Mar 00	Economic Security, Department of	6	6
Mar 00	Radiation Regulatory Agency	12	1 (17)
Apr 00	AHCCCS	9	28

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Apr 00	Health Services, Department of	9	11
Apr 00	Health Services, Department of	9	18
May 00	Retirement System Board, State	2	8
Jun 00	Economic Security, Department of	6	12
Jun 00	Insurance, Department of	20	6 (4-6)
Jun 00	Optometry, State Board of	4	21
Jun 00	Radiation Regulatory Agency	12	1 (9)
Jul 00	Economic Security, Department of	6	10
Jul 00	Environmental Quality, Department of	18	12
Jul 00	Health Services, Department of	9	16
Jul 00	Health Services, Department of	9	23
Aug 00	Chiropractic Examiners, Board of	4	7
Aug 00	Radiation Regulatory Agency	12	1 (6, 12, and 14)
Aug 00	Water Quality Appeals Board	2	1
Sep 00	Administration, Department of	2	15
Sep 00	Liquor Board, State	19	1 (1)
Sep 00	Liquor Licenses and Control, Department of	19	1 (2)
Sep 00	Racing Commission, Arizona	19	2
Oct 00	Administration, Department of	2	7
Oct 00	Appraisal, Board of	4	46
Oct 00	Commerce, Department of	20	1 (1)
Oct 00	Cosmetology, Board of	4	10
Oct 00	Environmental Quality, Department of	18	10
Oct 00	Land Department Board of Appeals	12	5
Nov 00	Banking Department	20	4 (12, 14-17)
Nov 00	Building and Fire Safety, Board of	4	36
Nov 00	Tax Appeals, State Board of	16	3
Nov 00	Revenue, Department of	15	5
Dec 00	Economic Security, Department of	6	5
Dec 00	Environmental Quality, Department of	18	13
Dec 00	Health Services, Department of	9	2